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INTERNATIONAL PRELIMINARY

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EXAMINATION REPORT - SUPPLEMENT

Item V

Substantiated Determination according to Art. 35(2) relative to Novelty, Inventive Activity and Commercial Applicability; Documents and Declarations in Support of this Determination

2.1. Reference is made to the following documents:

D1: US-A-5 123 433 (FRIDSMA DANIEL E ET AL) June 23, 1992 (1992-06-23)

2.2. Document D1, which is regarded as most obvious prior art, discloses a system (10) for influencing the rheological properties of a conveyable material in column 4, lines 10-68 (references in parentheses refer to this document), wherein the system (10) can be or is allocated to a machine for working or processing the conveyable material, in which the conveyable material is transported along a conveying direction (FLOW), wherein the system consists of:

- a) at least one controllable impact system (22, 28) for generating and introducing mechanical oscillations into the material in at least one processing section of the machine; as well as
- b) at least one acquisition system (34, 36, 38) for acquiring the rheological properties of the material; wherein
- c) the acquired rheological properties are used as the basis for actuating the impact system (22, 28) to generate and introduce the mechanical oscillations, from which the subject matter of

claim 1 differs in that the acquisition system has a first means with which the velocity field transverse to the conveying direction of the fluid is determined. In addition, the acquisition system has a second means to determine the pressure difference along the conveying direction in the area and/or at the edge of the area of the streaming material, or to determine the shearing stress along the conveying direction at the edge and/or inside the area of the material.

The subject matter of claim 1 is hence new (Art. 33(2) of the PCT).

2.3. The object to be achieved with this invention can therefore be regarded as determining the rheological properties of a streaming material by acquiring a velocity field for the streaming profile in combination with determining a pressure difference or shearing stress of the streaming fluid along the conveying direction. (Page 2, columns 6-13).

2.4. The solution proposed for this object in claim 1 of this application is based on an inventive activity for the following reasons (Art. 33(3) of the PCT):

The solution is not disclosed in D1, since D1 says nothing about determining the rheological properties of a streaming material by acquiring a velocity field of the streaming profile in combination with determining a pressure difference or shearing stress of the streaming fluid along the conveying direction.

2.5. None of the present documents relating to prior art prompt the expert to determine the rheological properties of a streaming material by acquiring a velocity field of the streaming profile in combination with determining a pressure difference or a shearing stress of the streaming fluid along the conveying direction.

2.6. Claims 2-8 are dependent on claim 1, and hence also satisfy the requirements of the PCT as relate to novelty and inventive activity.